

Planning and Zoning Commission Regular Meeting
Minutes
February 15, 2006

1. CALL SESSION TO ORDER

The February 15, 2006 Regular called meeting of the Planning and Zoning Commission was held in the Council Chambers of the City Hall of Round Rock located at 221 East Main Street. With a quorum present, Chairman Al Kosik called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present for roll call were Chairman Al Kosik, Vice Chairman Peter Drapes, Commissioners Dale Austin, Sandy Arnold, Betty Weeks, David Pavliska, Larry Quick, and Ray Thibodaux. Commissioner Boles was absent from the meeting. Staff included Susan Brennan, Principal Planner; Bernadette Hayes, Senior Planner; Shannon Burke, Senior Planner; Alysha Girard and Eric Langhout, Public Works, Engineering and Development Services; David Buzzell, PARD; Charlie Crossfield, Sheets & Crossfield; and Diane Buck, Planner Tech.

3. APPROVAL OF THE JANUARY 11, 2006 REGULAR MEETING MINUTES

Dale Austin had not received a copy of the minutes in his packet. He noted he would defer to the other commissioners.

Motion: Motion by Commissioner Austin, second by Commissioner Weeks to approve the January 11, 2006 Regular Meeting minutes as presented.

Vote: AYE: Commissioner Thibodaux, Commissioner Pavliska, Commissioner Austin, Commissioner Arnold, Commissioner Weeks, Commissioner Quick, Vice Chairman Drapes, and Chairman Kosik. The vote was 8-0. The motion carried.

4. CONSENT AGENDA

The following items were approved on the Consent Agenda:

- 4.A. Consider the Preliminary Plat of Trisun Park, application no. 2006-001-PP.**
- 4.B. Consider the Final Plat of Brushy Creek Wastewater Treatment Plant, application no. 2006-002-FP.**
- 4.C. Consider the Final Plat of Behrens Ranch Phase D, Section 3B, application no. 2006-003-FP.**
- 4.E. Consider the Final Plat of Paloma Lake, Section 1B, application no. 2006-005-FP.**

Motion: Motion by Commissioner Pavliska, second by Commissioner Quick to approve the above consent agenda items as presented.

Vote: AYE: Commissioner Thibodaux, Commissioner Pavliska, Commissioner Austin, Commissioner Arnold, Commissioner Weeks, Commissioner Quick, Vice Chairman Drapes, and Chairman Kosik. The vote was 8-0. The motion carried.

The following items (4.D. and 4.F.) were pulled for discussion from the Consent Agenda:

4.D. Consider the Final Plat of Paloma Lake, Section 1A, application no. 2006-004-FP.

Chairman Kosik asked for clarifications on access issues and the disposition of proposed abandoned ROW (CRs 122 and 117). Ms. Hayes and Ms. Girard outlined possible uses (easements, greenbelt and trail) but noted that abandoned ROW would be deeded to the City and would remain available for public use and not revert back to the original owner. This would not occur until after other sections of Paloma were completed.

Commissioner Quick noted the word “be” was missing on Note 5 on the plat.

Motion: Motion by Commissioner Quick, second by Commissioner Pavliska to approve this item with one (1) condition.

Vote: AYE: Commissioner Thibodaux, Commissioner Pavliska, Commissioner Austin, Commissioner Arnold, Commissioner Weeks, Commissioner Quick, Vice Chairman Drapes, and Chairman Kosik. The vote was 8-0. The motion carried.

4.F. Consider the Final Plat of Chandler Creek Commons, application no. 2006-007-FP.

Commissioner Quick said the note section looked a little short (page 2) and was looking for the “building set-back” note. Ms. Hayes called his attention to Note 1.

Motion: Motion by Commissioner Quick, second by Commissioner Pavliska to approve this item as presented.

Vote: AYE: Commissioner Thibodaux, Commissioner Pavliska, Commissioner Austin, Commissioner Arnold, Commissioner Weeks, Commissioner Quick, Vice Chairman Drapes, and Chairman Kosik. The vote was 8-0. The motion carried.

5. ADDITIONAL PLATS

5.A. Consider the Final Plat of Trisun Park, application no. 2006-0001-FP.

Ms. Hayes explained the timing of the preliminary and final plats for this subdivision.

Commissioner Thibodaux noted there were concerns voiced at the February 9th City Council meeting (where they were acting on the zoning of this property) regarding the depth and length of the detention pond and the associated fence. Steve Pautz with Fisher Hagood explained their decision to develop an underground storage and water quality facility which eliminates the aboveground pond and fencing. Overflow would be directed to the existing storm sewer system. This system would be 3–4 feet underground and could be landscaped or paved for parking.

Chairman Kosik asked if a note was needed on the plat for joint access easements shown in the drawings. Ms. Hayes said this is handled by the site permit process.

Commission Quick asked about the size variance in the access easement for Lot 3. Ms. Hayes explained the easement changed to line up with adjacent access easements across from Wyoming Spring Medical Center.

Motion: Motion by Commissioner Pavliska, second by Commissioner Quick to approve this item as presented.

Vote: AYE: Commissioner Thibodaux, Commissioner Pavliska, Commissioner Austin, Commissioner Arnold, Commissioner Weeks, Commissioner Quick, Vice Chairman Drapes, and Chairman Kosik. The vote was 8-0. The motion carried.

5.B. Consider the Final Plat of Paloma Lake, Section 2, application no. 2006-006-FP.

Ms. Hayes outlined the proposed development and noted that the plat meets all the platting requirements and is in accordance with the preliminary plat. Staff recommends approval with the following conditions:

1. The temporary turnaround easement shown on the southern segment of Los Alamos Path shall be recorded by separate instrument prior to or tandem with the recordation of this plat.
2. Add the word “be” to Note 5.

Chairman Kosik asked if Note 3 came from another plat. It was determined that the note should reference Lot 12, Block F and Lot 48, Block E.

3. Change Note 3 to read, “Lot 12, Block F and Lot 48, Block E”.

Commissioner Quick had a concern about the confusing spelling of street names. Ms. Hayes noted that policy has been to allow the developers to name the streets and let 911 approve the street names.

Motion: Motion by Commissioner Pavliska, second by Commissioner Austin to approve this item with conditions.

Vote: AYE: Commissioner Thibodaux, Commissioner Pavliska, Commissioner Austin, Commissioner Arnold, Commissioner Weeks, Commissioner Quick, Vice Chairman Drapes, and Chairman Kosik. The vote was 8-0. The motion carried.

6. TABLED ITEMS REQUIRING A PUBLIC HEARING

6.A. Consider public testimony regarding the application filed by City of Round Rock, to zone 496.084 acres of land out of the P. A. Holder Survey, Abstract No. 297, the P.A. Holder League Survey No. 211 and the P.A. Holder League and the Joseph Marshall Survey Abstract No. 409, Williamson County, Texas, to Business Park, application no. 2006-001-Z.

The applicant had requested that this item be tabled until the March 29, 2006, meeting.

Mr. Burke explained this property is known as the Bison Tract. The City is in the process of annexing this tract but wanted to delay the zoning until negotiations with the property owners were further along. The notice had already been posted when this item was tabled.

Chairman Kosik opened the public hearing. He asked anyone present to speak for or against this item to come forward. Seeing none, Chair entertained a motion to continue the public hearing.

Motion: Motion to continue the public hearing until the next meeting was made by Commissioner Austin, second by Commissioner Pavliska to continue the public hearing.

Vote: AYE: Commissioner Thibodaux, Commissioner Pavliska, Commissioner Austin, Commissioner Arnold, Commissioner Weeks, Commissioner Quick, Vice Chairman Drapes, and Chairman Kosik. The vote was 8-0. The motion carried.

7. ZONING AND PLATTING: PUBLIC HEARING/DISPOSITION

7.A. Consider public testimony regarding the application filed by Chandler Creek Investments, LTD., to amend the Land Use Plan for the Meadows of Chandler Creek Municipal Utility District for 9.375 acres of land out of the P. A. Holder Survey, Abstract No. 297, Williamson County, Texas, from a Single-Family designation to Drainage, Local

Commercial (with conditions), Office, Senior Residential or Funeral Home (with conditions), application no. 2005-034-Z.

Mr. Burke outlined this development and the proposed amendments to the Land Use Plan. He noted Tract A is a 5.170 acre drainage easement that will be designated as Drainage. The remaining 4.205 acres (Tract B) will be designated as Local Commercial, Office, Senior, or Funeral Home. The City had worked with the developers to address earlier concerns. Staff recommends approval with the following conditions:

1. One-story height limitation on the commercial development.
2. Limit the funeral home use to exclude crematoriums.
3. List of prohibited uses (on file at the Planning Department).

Chairman Kosik stated this was a public hearing and asked anyone wishing to speak for or against this item to come forward. Seeing none, the public hearing was closed.

7.B. Consider a recommendation to amend the Land Use Plan for 9.375 acres of land to a designation of Drainage, Local Commercial (with conditions), Office, Senior Residential or Funeral Home (with conditions), application no. 2005-034-Z.

Commissioner Thibodaux asked if gasoline and fuel sale was prohibited, could a convenience store still be developed. Mr. Burke said that was correct. A convenience store or small grocery store could be built but no gas could be sold on this site.

Commissioner Weeks thought it was great that previous concerns had been addressed. She also noted that people would be driving to the commercial areas and not walking to them. Mr. Burke noted that the majority of traffic to the commercial areas would be from local residents and not from across town.

Chairman Kosik was concerned that area residents have the option to purchase fuel close to home. John Lewis, the developer noted there was another property close by that could sell gas.

Commissioner Pavliska noted this development followed closely to the ideas discussed in the retreat concerning the advantages to neighborhood retail.

Chairman Kosik noted he appreciated the effort made by City staff and developers.

Motion: Motion to approve by Commissioner Weeks, second by Commissioner Arnold to approve with conditions.

Vote: AYE: Commissioner Thibodaux, Commissioner Pavliska, Commissioner Austin, Commissioner Arnold, Commissioner Weeks, Commissioner Quick, Vice Chairman Drapes, and Chairman Kosik. The vote was 8-0. The motion carried.

7.C. Consider public testimony regarding the application filed by Chandler Creek Investments, LTD., to amend the Land Use Plan for the Meadows of Chandler Creek Municipal Utility District for 3.184 acres of land out of the P. A. Holder Survey, Abstract No. 297, Williamson County, Texas, from a Multi-Family designation to Day Care (with conditions), Local Commercial (with conditions) or Office, application no. 2005-035-Z.

Mr. Burke outlined the proposed development and the amendments to the Land Use Plan. He noted the proposed daycare is larger than a normal daycare but with the proposed conditions, both staff and the neighborhood support this development. Staff recommends approval with the following conditions:

1. The land use designation to include a provision exempting daycare facilities from the size limitation in Local Commercial districts.
2. One-story height limitation.
3. Outdoor play areas located no closer than 100 feet from the southern property line and to include fencing on the south side to shield the adjacent residences from noise.

Mr. Burke also noted this tract is under contract to a daycare provider, the applicant has requested the tract have the additional designation of local commercial and office uses for future development flexibility.

4. Additional designation of Local Commercial and Office uses.
5. List of prohibited uses (on file at the Planning Department).

Chairman Kosik stated that this was a public hearing and asked anyone wishing to speak for or against this item to come forward. Seeing none, the public hearing was closed.

7.D. Consider a recommendation to amend the Land Use Plan for 3.184 acres of land to a designation of Day Care (with conditions), Local Commercial (with conditions) or Office, application no. 2005-035-Z.

Mr. Burke answered questions regarding the 100-foot setback line for the play area. He noted the developer could use this area for parking or the building.

Motion: Motion to approve by Commissioner Thibodaux, second by Commissioner Weeks to approve with conditions.

Vote: AYE: Commissioner Thibodaux, Commissioner Pavliska, Commissioner Austin, Commissioner Arnold, Commissioner Weeks, Commissioner Quick, Vice Chairman Drapes, and Chairman Kosik. The vote was 8-0. The motion carried.

7.E. Consider public testimony regarding the application filed by Quail Creek Cottages, LTD., to amend the Land Use Plan for the Meadows of Chandler Creek Municipal Utility District for 2.168 acres of land out of the P. A. Holder Survey, Abstract No. 297, Williamson County, Texas, from a Multi-Family designation to Local Commercial, Office or Senior Residential designation, application no. 2005-036-Z.

Mr. Burke outlined the proposed amendment to the Land Use Plan. He stated the change from Multi-Family to Local Commercial, Office or Senior Residential designation is consistent with the adjacent, existing and proposed land uses in this area. The applicant has also agreed to prohibit gas stations on this site. Staff recommended approval with the following condition:

1. Prohibit gas stations on this site.

Chairman Kosik stated that this was a public hearing and asked anyone wishing to speak for or against this item to come forward. Seeing none, the public hearing was closed.

7.F. Consider a recommendation to amend the Land Use Plan for 2.168 acres of land to a designation of Local Commercial, Office or Senior Residential, application no. 2005-036-Z.

Chairman Kosik verified the only condition was there would be no gas stations.

Motion: Motion to approve with condition by Commissioner Pavliska, second by Commissioner Arnold with one (1) condition.

Vote: AYE: Commissioner Thibodaux, Commissioner Pavliska, Commissioner Austin, Commissioner Arnold, Commissioner Weeks, Commissioner Quick, Vice Chairman Drapes, and Chairman Kosik. The vote was 8-0. The motion carried.

8. PLANNER REPORT

Required Training for the Open Meetings Act and the Public Information Act.

Susan Brennan reported a new state regulation that requires a one (1) hour training session in both the Open Meetings Act and the Public Information Act for the City Council

and Commission Members. Training must be completed by January 1, 2007. The State Attorney General's Office has video training listed on the website. Following a discussion the group decided to wait to complete the training until the Retreat planned for August/September when the new commissioners were on board. Once the training options were identified, the commissioners would be polled for their preference.

APA National Conference in San Antonio

Ms. Brennan reported that funds were available for half the commissioners to attend the National Conference in April and the remaining commissioners to attend the State Conference in October. Betty Weeks, Larry Quick, and Ray Thibodaux were interested in attending the National Conference.

Executive Session Paragraph

Charlie Crossfield explained the items listed were various reasons to adjourn into executive session. The only item listed that might apply to this Commission is litigation. All City Boards and Commissions will include this paragraph on their agendas.

9. ADJOURN

There being no further discussion, the meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Diane Buck

Planner Tech